

DECLARATION, POWER OF ATTORNEY, AND PETITION

We,

- (1)    Name:        Lewis B. Aronson  
       Address:     794 Manor Way  
                     Los Altos, California 94024  
       Citizenship: United States
- (2)    Name:        Giorgio Giaretta  
       Address:     1609 Ronden Court  
                     Mountain View, California 94040  
       Citizenship: Italy
- (3)    Name:        Stefano Schiaffino  
       Address:     227 Chester Street  
                     Menlo Park, California 94025  
       Citizenship: Italy
- (4)    Name:        Dev E. Kumar  
       Address:     404 Flagg Avenue  
                     San Jose, California 95128  
       Citizenship: United States
- (5)    Name:        T.G. Beck Mason  
       Address:     4673 Batten Way  
                     San Jose, CA 95135  
       Citizenship: Canada

declare: that our citizenship, residence address, and post office address are as set forth above; that we verily believe we are the original, first, and joint inventors of the subject matter of the invention or discovery entitled SMALL FORM FACTOR TRANSCEIVER WITH EXTERNALLY MODULATED LASER for which a patent is sought and which is described and claimed in the specification attached hereto; that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to

herein; and that we acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Section 1.56(a) of Title 37 of the Code of Federal Regulations.

We hereby claim the benefit under Section 120 of Title 35 of the United States Code of the earlier filed pending application, Serial No. «FormData» filed «FormData»; and, insofar as the subject matter of each of the claims of this application is not disclosed in the earlier filed pending application in the manner provided by the first paragraph of Section 112 of Title 35 of the United States Code, we acknowledge the duty to disclose material information, as defined in Section 1.56(a) of Title 37 of the Code of Federal Regulations, which occurred between the filing date of the earlier filed application and the filing date of this application.

We declare further that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

We hereby appoint as our attorneys and/or patent agents those listed under the following Customer Number with full power to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:



**022913**

PATENT TRADEMARK OFFICE

Customer Number

All correspondence and telephonic communications should be directed to:

R. BURNS ISRAELSEN  
WORKMAN, NYDEGGER & SEELEY  
1000 Eagle Gate Tower  
60 East South Temple  
Salt Lake City, Utah 84111  
Telephone: (801) 533-9800  
Facsimile: (801) 328-1707

Wherefore, we pray that Letters Patent be granted to us for the invention or discovery described and claimed in the foregoing specification and claims, declaration, power of attorney, and this petition.

Signed at SUNNYVALE, CA this 4<sup>TH</sup> day of AUGUST, 2003.

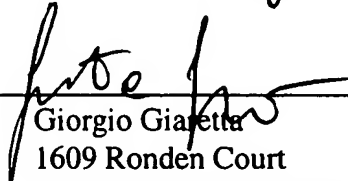
Inventor:



Lewis B. Aronson  
794 Manor Way  
Los Altos, California 94024

Signed at Sunnyvale, California this 4 day of August, 2003.


Inventor: \_\_\_\_\_

  
Giorgio Giarretta

1609 Ronden Court

Mountain View, California 94040

Signed at \_\_\_\_\_, \_\_\_\_\_ this 4 day of August, 2003.

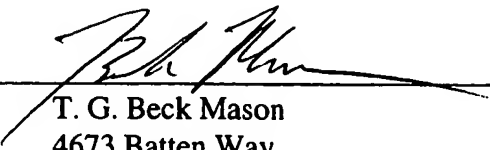
Inventor:   
Stefano Schiaffino  
227 Chester Street  
Menlo Park, California 94025

Signed at \_\_\_\_\_, \_\_\_\_\_ this 21<sup>st</sup> day of July, 2003.

Inventor: \_\_\_\_\_

Dev E. Kumar  
404 Flagg Avenue  
San Jose, California 95128

Signed at \_\_\_\_\_, \_\_\_\_\_ this 4 day of August, 2003.

Inventor:   
T. G. Beck Mason  
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